

IN THE  
Court of Appeal of the State of California

IN AND FOR THE  
Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Senior Deputy Clerk.

**F035445      Wright v. Beverly Fabrics, Inc.**

Cause called and argued by James P. Wagoner, Esq., counsel for appellant and by Gary S. Davis, Esq., counsel for respondent.

Cause ordered submitted.

At this point Wiseman, J. leaves the bench and is replaced by Cornell, J.

**F034714      Fireman's Fund Insurance Company v. Altantic Richfield Company**

Cause called and argued by James P. Wagoner, Esq., counsel for appellant and by Russell G. Vanrozeboom, Esq., counsel for appellant.

Cause ordered submitted.

Court recessed until Monday, December 17, 2001 at 1:45 P.M.

The court reconvened in its courtroom at 1:45 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Deputy Clerk.

**F034128      Campise v. Morrison Health Care, Inc.**

Cause called and argued by Peter Sean Bradley, Esq., counsel for appellant and by Tracey A. Kennedy, Esq., counsel for respondent.

Cause ordered submitted.

**F034603      Campise v. Valley Children's Hospital**

Cause called and argued by David Douglas Doyle, Esq., counsel for appellant and by Howard William Cohen, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Tuesday, December 18, 2001 at 10:00 A.M.

IN THE  
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IN AND FOR THE  
Fifth Appellate District

**F036194      People v. Stanphill**

**F037911      In re Brandon Keith Stanphill On Habeas Corpus**

The April 13, 2001, order administratively consolidating the appeal herein with appellant's petition for writ of habeas corpus is hereby vacated.

**F036663      People v. Williams**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F036663      People v. Williams**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F031142      Gerawan Farming, Inc. v. William Lyons, Jr., as Secretary, etc.**

The judgment is reversed. The matter is remanded to the trial court for trial and determination of the amount of assessments allocated to speech functions of the California Plum Marketing Board. Appellant is entitled to an injunction prohibiting enforcement of assessments against objecting growers and handlers to the extent those assessments are for speech-related purposes as described above. Vartabedian, Acting P.J.

I concur: Harris, J.

I dissent: Levy, J.

(See dissenting opinion)

[CERTIFIED FOR PUBLICATION]

**F037909      Decker, et al. v. California Department of Corrections**

Pursuant to written stipulation of the parties hereto, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

IN THE

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**F035605      Gerawan Farming, Inc. et al. v. California Table Grape Commission**

The judgment is reversed. The matter is remanded for trial or other proceedings necessary to establish the portion of respondent's budget used for speech-related activities and to establish the nature and extent of the remedies to which appellants are entitled. Appellants are awarded their costs on appeal. Vartabedian, Acting P.J.

I concur: Harris, J.;

I dissent: Levy, J.

(See dissenting opinion)

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F032298      Wileman Bros. & Elliott, Inc. v. Lyons, Jr., as Secretary, etc.**

The judgment is reversed. The matter is remanded, etc. Vartabedian, Acting P.J.

I concur: Harris, J.;

I dissent: Levy, J.

(See dissenting opinion)

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F035925      People v. Cardona**

The verdict of guilty as to count I is reversed and the case is remanded for further proceedings consistent with this opinion. The trial court shall prepare a corrected abstract of judgment and forward copies to all appropriate parties. In all other respects, the judgment is affirmed. Cornell, J.

We concur: Dibiaso, Acting P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]